M

Bang. II-37—65,000 31-10-50.

(21)

HOME (1952) Department

Rt SERIES.

G.O. NO. 2207

Passed
DS
2/8/52

Dated 30-7-1952

FOR MYSORE STATE

[Despatch Abstract.]

OTOR VEHICLES - Stage Carriages - Regional Transport Authority - Bellary
oute Holagonds to Bellary via Sanvasapuram - Grant of temporary permit -
evision Petition.

119637
3/7/52

1

ADDITIONAL ASSISTANT SECRETARY TO GOVERNMENT
3 - JUL 1952
HOME DEPARTMENT

Before the Hon'ble Government of Madras

(Home Department-Transport)

Ref:-- Proceedings of the Meeting of the Central Road Traffic Board, Madras held on 18-6-1952 item No.1 and its order dated R.No.18344/A2/52 dated 20-6-1952.

Sub:- Appeal- Stage carriages- Route Holagonda to Bellary via Sanavasapuram-grant of permit to Sri B. Chandrasekar by the Regional Transport Authority-Bellary. to the Central Road Traffic Board- by Govisadappa and others.

B. Chandrasekar, Bus owner, Fort, Bellary. Petitioner.

The address for service of all notices and processes on the petitioner is that of his Advocate Mr. N.V.B.Sankara Rao, 28 High Court Chambers, Madras.

1. The petitioner is a bus owner and businessman residing at Fort, Bellary. The Regional Transport Authority, Bellary, called for applications for permit to run stage carriage on the route Holagonda to Bellary via Sanavasapuram. The petitioner was one of the many applicants who applied for the said permit on the said route. After due notification calling for applications for the issue of permit to run the vehicle on the said route, the Regional Transport Authority, Bellary, in his Proceedings held on 19-3-1952, granted the permit to the petitioner having passed the resolution as under.

> "Resolution: No.21 (the petitioner before the Government) is granted- Permit as the most suitable and Nos.2,9,14 and 19 are rejected as they are absent. Nos.8,11,15,12 and 23 are rejected as they are fleet owners. The other applications are rejected as there is scope for the issue of only one permit"

On the granting of the permit on 18-3-1952, the petitioner immediately purchased a vehicle at a high cost and put it on the route on 14-5-1952. Since then he has been running the vehicle on the said route.

2.Some of the disappointed applicants before the Regional Transport Authority preferred appeals to the Central Road - Traffic Board and the Central Road Traffic Board in its meeting held on 18-6-1952 in item No.1, considered this matter and passed the order as under:-

> "The Regional Tranport Authority, Bellary invited applications for the issue of a stage carriage permit. There were 28 applicants. The applications of No.2,9,14 and 19 before the Regional Transport Authority were rejected as they were absent. The applications of Nos. 8,11,12,15 and 23 were rejected as they were fleet owners. Of the remaining 19 applications, No.21 was granted the permit "as the most suitable". In other words, the Regional Tranport Authority has not stated the grounds on which it considered No.21 better suited for the award of this permit than the other 18 applicants. Therefore the Regional Transport Officer's order fails to comply with the mandatory requirement of 57(7) of the Motor Vehicles Act which requires the Regional Transport Authority to give the applica in writing its reasons for the refusal. The High Court has held already in C.M.P.No.4436 of 1951 that an order merely saying 'X' is the most suitable' - cannot be held to comply with sec.57(7) of the Act. We have therefore to set aside this order and remand it back to the Regional Transport Authority for fresh disposal according to law."

As the reasons are not fully given the matter is remanded to the Regional Transport Authority for fresh disposal on technical grounds.

3. It will takesome time for the Regional Transport Authority to rehear the matter. This route runs through many

many important villages and the public will be inconvenienced if there is a stoppage of the service. Further, Holagonda Division of the Tungabadra Project is working at Holagonda, and labourers are being carried to and fro for the work to this workspot through this bus. If this is stopped, the Project work will also suffer. On the strength of the remand order, I understand the Regional Tranport Authority, Bellary will issue an order to stop the service. I might got the stoppage order at any minute. As the stoppage will cause very great inconvenience to the public and also to the working of the Tungabdra project at Holagonda, and as the petitioner herein has already incurred heavy expenses in purchasing and putting the vehicle on the route and as it will not prejudice anybody, the petitioner prays the Hon'ble Government to issue a temporary permit to my bus M D B 475 to run on the route Holagonda to Bellary via Sanavasapuram pending the issue of the pucca permit by the Regional Transport Authority, Bellary.

Dated the 3rd July 1952.

The facts stated above are true.

N V Bhaskara Rao
Advocate for the
petitioner.

B. Chandra Shetty
Petitioner.

4

Before the Government of
Madras.
Home Department
(Transport).

Stage carriage-Route Holagonda to Bellary via Sanavasapuram. grant of permit to Sri B. Chandrasekar by the Regional Transport Authority, Bellary.

B. Chandrasekar. **Petitioner**

Application for temporary
permit for stage
carriage.

Mr. N.V.B.Sankara Rao,
Advocate for the petitioner.

Form PTA.

Application in respect of a temporary permit.

(Rule 156 (vi) of the Madras Motor Vehicles Rules, 1940)

To
The Regional Transport Authority, Bellary.

5637
3.7.52

In accordance with the provisions of sections 45 and 62 of the Motor Vehicles Act, 1939, I the undersigned hereby apply for a temporary permit under section 42 of that Act as hereinunder set out.

1. Full name. B. Chandrasekar
2. Name of father (in the case of an individual) B. Rudrappa.
3. Address. B. Chandrasekar, Bus owner, Fort. Bellary
4. Purpose for which permit is required. Stage Carriage
5. Nature of goods, if goods are to be carried. . . . . . .
6. Route areas. ~~Holagonda~~ Holagonda to Bellary via Somavarapur
7. Period of duration of permit: from to Two months
8. Type and registered laden weight / seating capacity of the vehicle or vehicles for which permit is required. Chevrolet. 1945 model. 33 including Driver & Conductor
9. (1) The registered owner of the vehicle is B. Chandrasekar and the registration mark is M.D.B. 475
   (2) The vehicle has not yet been hired by me and I undertake to intimate the registration mark if required within twenty hours of hiring the vehicle.
10. I enclose chaln for Rs. 8 being the prescribed fee..
11. I hereby declare that the above statements are true and agree that they shall be conditions of any permit issued to me.

B. Chandrasekhar
Signature of the applicant.

Date. 3.7.1952

Before the Government of Madras, Home Dept Transport.

~~In the High Court of Judicature at Madras.~~

~~Ordinary Original Civil Jurisdiction~~

C.~~S. No.~~ of ~~19~~
O.~~P. No.~~ of ~~19~~

Between :—

B. Chandrasekar — Petitioner ~~Plaintiff~~

and

— Defendant Respondent

COURT FEE INDIA
3.7.52
3Rs THREE RUPEES

I/~~We~~, B. Chandrasekar, the ~~Plaintiff~~ ~~Defendant~~ petitioner abovenamed do hereby appoint and retain Mr. N. V. B. Sankara Rao, Advocate as my/~~our~~ Counsel to appear for me/~~us~~ in the above cause and on my/~~our~~ behalf to conduct and prosecute (defend) the same and all proceedings therein before and after decree. He is/~~They are~~ also authorised to depute other Counsel to act on his/~~their~~ behalf.

Dated at Madras this 3rd date of July 1952

B. Chandrasekharan
~~Plaintiff~~
~~Defendant~~
Petitioner

Accepted :—The address for service of all notices and processes is that of the Counsel at No. 28 High Court Chambers, Madras

N V B Sankara Rao

MADRAS,
3.7.1952

Counsel for ~~Plaintiff.~~ ~~Defendant.~~ Petitioner

Government of Madras
Home Dept. Transport

O~~RIGINAL SIDE~~

~~HIGH COURT~~ MADRAS

C.~~S. No.~~ 19

O.~~P.~~ No. 19

B Chandrasekar Petition .... Plaintiff

versus

.... Defendant.

VAKALAT

Mr. N. V. B. Sankara Rao

Counsel for Petitioner

11

Before the Hon'ble Government of Madras.
Home Department - Transport.

~~In the High Court of Judicature at Madras~~

Appeal No of 19 52

Against

p15 wifm the Proceedings of the Central Road Traffic Board,
L. Dis. 31287/D1/52 dated 4.7.52 No. of 19

n the Court of the

B. Chandrasekar. Appellant / ~~Petitioner~~

Vs.

Respondent.

I ~~We~~ the above mentioned appellant

in the above Appeal/~~Petition~~ do hereby appoint and retain

Mr. N. V. B. SANKARA RAO

vocate of the High Court to appear for me/~~we~~ in the above Appeal/~~Petition~~ and to con-
et and prosecute or defend the same and all the proceedings that may be
en in respect of any application connected with the same or any decree or
er passed therein, including all applications for return of documents or the
eipt of any moneys that may be payable to me/~~us~~ in the said Appeal/~~Petition~~ and also
appeals under Section 15 of the Letters Patent and in applications for
ve to appeal to His Majesty in Council and in all applications for review
of Judgment.

B. Chandrashekar

I certify that the contents of this Vakalat were read out and explained in in my presence to the executant who appeared perfectly to understand the same and made his, her their signature in my presence.

Executed before me this 7th *day of* July 1952.

Bellary. Di

Before the Govt. of Madras
Home Dept. Transport.

~~In the High Court of~~
JUDICATURE AT MADRAS.

Appeal No: of 195 2.

AGAINST

Proceedings of the C.R.T.B.
L.Dis No. 31287/D1/52 of 195 dt
4-7-1952
On the file of the ....

VAKALAT

Accepted
N V B Sankara Rao
7.7.52

Appellant
Advocate for ~~Respondent~~
~~Petitioner~~

195

MR. N. V. B. SANKARA RAO

Appellant
Advocate for ~~Petitioner~~
~~Respondent~~

Address for service of the said Counsel is:—
~~21, Law Chambers,~~
28 High Court ~~Buildings~~ Chambers, Madras.

13

T. & A. 218.

P.

Provincial.
Central.

M.T.C. 18
ORIGINAL.

Chalan for payment of money into the Reserve Bank of India at / Imperial Bank of India at Madras.

No.

By whom paid and name (or designation) and address of the person on whose behalf money is paid	On what account with authority, if any.	Amount	Head of account.
B. Chandrasekhar, [illegible] Bellary	To prefer appeal to Govt against C.R.T.C. order.	Rs. 50	XII M.V. Act
	Total (in words and figures) Rs. Fifty only	50	

CANCELLED

Signature of Tenderer B. Chandrasekhar

Head of account should be filled in by the Departmental Officer or the Treasury. In cases where direct credits at Bank are permissible the column "Head of account" will be filled in by the Treasury Officer or the Accounts Officer, as the case may be, on receipt of the Bank's Daily sheet [P.T.O.

14

Correct. Receive and grant receipt

T. & A. 212

Signature and full designation of the officer ordering the money to be paid in

eserve Bank of India at
~~nperial Bank of India at~~ Madras

Entered—Correct.

19—————————————————195

Initials of Treasury Accountant

Received Rupees. Fifty only

Bank Accountant

RESERVE BANK OF INDIA,
PUBLIC ACCOUNTS DEPT.
MADRAS.
CASH RECEIVED
22 JUL 1952

Agent.

Accountant.

Treasurer. Cashier.

---

* To be used only when a departmental officer passes the challan for a payment by a private party.

Proceedings of the Chairman, Central Road Traffic Board, Egmore,
Madras.

J[redacted]Dis.No.31287/D1/52~~entralxRoadxTraxMemoxNx~~ Dated 4-7-52.

Sub: Motor Vehicles - Stage Carriages - Regional Transport Authority, Bellary - Route Holgonda to Bellary - grant of permit by Regional Transport Authority - set aside by Central Road Traffic Board. - Issue of temporary permit - orders issued.

Ref: 1. G.O.Ms.No.4912 Home dated 18-11-50.
2. petition dated 18-6-52 from Sri B.Chandrasekar.
3. Letter No.L.Dis.1912/A2/52 dated 26-6-52 from the Regional Transport Officer, Anantapur.

The request for the issue of a temporary permit is not approved.

.Ramakoteswara Rao,
For Chairman.

To Sri B. Chandrasekar, Bus Owner, Bellary.

Copy to the Regional Transport Officer, Anantapur.

/By Order/

SUPERINTENDENT.

sr:5/7.

H7 Ser 12782

ADDITIONAL ASSISTANT SECRETARY TO GOVERNMENT
7 - JUL 1952
HOME DEPARTMENT

12782
7-7-5

Before the Hon'ble Government of ~~Madras~~ Madras,

H ome Department-Transport.

Appeal under Rule 148 of the Rules under the Motor
Vehicles Act.

Appeal No. of 1952.

against proceedings of the C.R.T.B. d. Dis. 31287/D1/52 dated 4-7-52

B. Chandrasekar. Appellant.

Ref:- Proceedings of the Meeting of the Central Road Traffic Board, Madras, held on 18-6-1952 item No.1 and its Order dated R. No.18344/A2/52 dated 20-6-1952.

cp M. p2 note

Appeal- Stage carriages-route- Holagonda to Bellary via Sanavasapuram- grant of permit- To Sri B. Chandrasekar by the Regional Transport Authority, Bellary- appeal by Govisadappa and others to the C.R.T.B.

The address ~~of~~ for service of all notices and processes on the appellant is that of his Advocate Mr. N.V.B. Sankara Rao, Advocate, 28 High Court Chambers, Madras.

1. The ~~petitioner~~ appellant is a bus owner and businessman residing at Fort, Bellary. The Regional Transport Authority, Bellary called for applications for permit to run stage carriage on the route Holagonda to Bellary via Sanavasapuram. The petitioner was one of the many applicants who applied for the permit on the said route. After due notification calling for applications for the issue of permit to run the vehicle on the said route, the Regional Transport Authority, Bellary in his Proceedings held on 19-3-1952, granted the permit to the appellant having passed the resolution as under.

> "Resolution: No.21 (the present appellant before the Government) is granted permit as the most suitable and Nos.2,9, and 19 are rejected as they are absent. Nos.8, 11,15, and 23 are rejected as they are fleet owners. The other applications are rejected as there is scope only for one permit."

18

On the granting of the permit on 18-3-1952, the petitioner immediately purchased a vehicle at a high cost and put it on the route on 14-5-1952. Since then he has been running his vehicle on the said route.

2. Some of the disappointed applicants before the Regional Transport Authority preferred appeals to the Central Road Traffic Board and the Central Road Traffic Board in its meeting held on 18-6-1952, in item No.1, considered this matter and passed the order as under.:-

> "The Regional Transport Authority, Bellary, invited applications for the issue of a stage carriage permit. There were 23 applicants. The applications of Nos.2,9,14 and 19 before the Regional Transport Authority were rejected as they were absent. The applications of Nos.8,11,12,15 and 23 were rejected as they were fleet owners. Of the remaining 19 applications, No.21 was granted the permit "as the most suitable". In other words, the Regional Transport Authority has not Stated the grounds on which it considered No.21 better suited for the award of this permit than the other 18 applicants. Therefore the Regional Transport Officer's Order fails to comply with the mandatory requirement of section 57(7) of the Motor Vehicles Act which requires the Regional Transport Authority to give the applicant in writing its reasons for the refusal. The High ourt has held already in C.M.P.No.4436 of 51 that an order merely saying 'X' is the most suitable' cannot be held to comply with section 57(7) of the Act. We have therefore to set aside

M

M

this order and remand it back to the Regional Transport Authority for disposal according to law"

As the reasons are not fully given, the matter is remanded to the Regional Transport Authority, Bellary, for fresh disposal on technical grounds.

3. ~~Aa~~ As the matter is remanded, the Regional Tranport Authority has stopped the vehicle pending fresh ~~dpix~~ disposal of the matter after remand. It will take some time for the Regional Transport Authority to rehear the matter. This route passes through many important villages such as Holagunda, Darur and Karur etc., and the public will be inconvenienced if the service is stopped. From these villages, students go to colleges + schools in Bellary ~~and~~ the timing of this bus is the most suitable for the schoolgoing population. Further, the Holagunda Division of the Rungabadra Project is working at Holagonda and the labourers take this bus to and fro as this is the most convenient one. This bus also affords facility for people to go to the hospitals and sanitoriam at Bellary. As there will be dislocation on account ~~of~~ of the stoppage of this bus, after remand, the petitioner made an application for a temporary permit to the Central Road Traffic Board as early as 18-6-1952 on the very date of the remand order passed by the Central Road Traffic Board. The Central Road Traffic Board did not approve of this request in its Proceedings dated 4-7-1952 L.DisNo.31287/D1/52. This order of the Central Road Traffic Board refusing to issue a temporary permit is wrong. In these days of policy of the Government to liberalise bus permits and in these days of scarcity of accommodation in the buses and overcrowding, the Central Road Traffic

a cp M,
pp 18-Malone
p15 rate

Board has erred in refusing the temporary permit.

4. As a matter of fact, this petitioner has been running the bus since the issue of the permit by the Regional Transport Authority and has invested large sums of money for the purchase of the vehicle etc. The issue of the temporary permit will not in any way prejudice anybody but it will only facilitate the public and Status Quo is maintained. It may be noted this route runs from Holagonda to Bellary which is a short route and there is no other operator on this route. Only two long route buses covering a distance of 68 miles in single run pass through these villages and it is impossible to get seats in these buses. That is the very reason this short route is opendd by the Regional Transport Authority at Bellary. The Central Road Traffic Board has failed to note this aspect of the case when it passed the order. In similar cases, where the matter is remanded on technical grounds to be disposed of according to law, the permit holders who were given permits by the Regional Transport Authority, were given temporary permits by this Hon'ble Government in the following casex in order to facilitate the public.

1. Temporay permit granted to Messrs Nagalla Siva-Ramakrishnayya and G.Venkatakrishnayya on theroute Tenali to Repalle, Momorandum No. 68185-Transport-11/52-1 . (G.O.).

wl) put up

2. Temporary permit to G.N.Transport, Proprietor N. B. Narayanappa Bellary on the routeSirugumbh Gundakkal Via Holagonda and Alur.

For the reasons stated above the ~~petitioner~~ appellant prays that the Hon'ble Government may be pleased to issue temporary permit to the appellant for his --

bus M D B 475 to run on the route Holagonda to Bellary Via Sanavasapuram till a pucca permit is granted to him by the Regional Transport Authority.

Dated this the 7th day of July 1952.

The facts stated above are ture.

B. Chandrashekhar
Appellant.

Advocate for the
appellant.

22

Before the Government of Madras
Home Department-Transport

Appeal No. of 1952

against

the Proceedings of the
Central Road Traffic Board
L.Dis.No.31287/D1/52 dated
4-7-1952.

Mr. N. V. B. Sankara Rao,
Advocate for Appellant,
28 High Court Chambers,
Madras.

MINISTER FOR INDUSTRIES
10 JUL 1952
GOVERNMENT OF MADRAS.

Secy, Home

00751

INVEST WISELY
Buy NATIONAL SAVINGS CERTIFICATES

ASSISTANT SECRETARY TO GOVERNMENT
11 JUL 1952
HOME DEPARTMENT

INDIAN POSTS AND TELEGRAPHS DEPARTMENT

DEPUTY SECRETARY TO GOVERNMENT
11 JUL 1952
HOME DEPARTMENT

Class
Prefix X Code

C. No.

Recd. from
By 116

Sent at ____ M.
To
By

Office Stamp.

Handed in at (Office of Origin)	Date.	Hour.	Minute.	Service Instructions.	Words.
Bellary	7	13	40		31

TO Honourable Minister
for transport Fort Madras

Recd. here at 13.50 M.

125178
4/7

Public inconvenienced stoppage of
Bus Kolagunda Bellary convenient for
~~the~~ school going [illegible] Lorry for time
[illegible] understand temporary permit

N. B.—The name of the Sender, if telegraphed, should be written after, but separated from, the text.

D. C. G. & Co.—1035 P. & T. (M.F.P. 5170/O.P. 816 P. & T.) 29-6-51—1,26,345 Pads.

appear pending = school Boys Kasuve =

M(912)

Secy., Home

C.&c.

INVEST WISELY Buy NATIONAL SAVINGS CERTIFICATES

INDIAN POSTS AND TELEGRAPHS DEPARTMENT

C.

MINISTER FOR INDUSTRIES
10 JUL 1952
GOVERNMENT OF MADRAS

ASSISTANT SECRETARY TO GOVERNMENT
11 JUL '52
HOME DEPARTMENT

DEPUTY SECRETARY TO GOVERNMENT
JUL 1952
HOME DEPARTMENT

Class / Prefix	Code	Office Stamp.
Recd from	Sent at 125220 H.	No.
By	To C	
	By	Service Instructions. Words 50
Handed in at (Office of Origin) Bellary	Date 9 Hour 18 Minute 15	Recd. here at

TO Hon'ble minister for transport Fort Madras

Project labours inconvenienced stoppage of Temporary
Bus Holagonda Bellary pass for Permit appeal
Permit understand Temporary Project
is pending Thimmanagouda
Contractor Holagunda Division

N. B.—The name of the Sender, if telegraphed, should be written after, but separated from, the text.

1035 P & T. (M.F.P. 5170/O.P. 816 P. & T.)—20-6-51. 1,00,000 Books.

Robin Press, Calcutta-I.

[CRO 119637 Tr II/52]

R. Dis. ~ [illegible]
29/7/52

23/30/7

HOME DEPARTMENT 27

G.O.Rt.No. 2207 Dated 30.7.52

Motor Vehicles - Stage carriages - R.T.A. Bellary - Route Holagonda to Bellary via Sanavasapuram - Grant of temporary permit Revision petition

Read: From Sri B.Chandrasekar, Bus owner, Fort Bellary, petitions dated 3-7-1952, and 7-7-1952.

==

pp1-3 of c.f. 17-21 c.f.

ORDER:

Cf orders at X on p2 n.f.

The Governor of Madras declines to ~~interfere.~~ comply with the petitioner's request in the petitions cited.

2. The petitioner is informed that he may approach the R.T.A. in the first instance, and if he is aggrieved by the orders passed by ~~him,~~ its, he ~~may~~ can prefer an appeal to the C.R.T.Board and/or come up

Cf 'A' on p.i n.f.

-2-

8

to Govt. in revision under Section 64-A of the ~~M~~.M.V.Act, 1939.

WB
23/7/52

23.7.52

24.7.52

[illegible] by R.P. w 8 [illegible] chalan

To Sri B.Chandrasekhar,
Bus owner, Fort Bellary,
(with chalan for Rs. 8/- at 25 cf.) ~~in orig~~ by regd post

with copies of pp1-3 and 17-21 cf
Copy to the Secy., C.T.B.
Copy to the R.T.O., Anantapur

→ through
Sri. N.V.B. Shankar Rao,
Advocate,
28, High Court Chamber,
Madras

No. 119637 Tr II/52

HOME DEPARTMENT

Motor Vehicles - Stage carriages - R.T.A. Bellary - Route Holagonda to Bellary via Sanavasapuram - Grant of temporary permit - Revision petn.

From Sri B.Chandrasekar, Bus owner, Fort
Bellary, petitions d/3-7-52 and 7-7-52

pp.1-3 & 17-21 c.f.

===

Please see the petition from Sri B.Chandrasekhar on pp.1-3 c.f. and 17-21 c.f. requesting that a temporary permit may be granted for his bus, MDB 475 on the route Holagonda to Bellary via Sanavasapuram. The petitioner has also forwarded a chalan for Rs 8/- for the grant of a temp. permit and also another for Rs 50/- along with his revision petition at pp.17-21 c.f. against the order of the Chairman, C.R.T.Bd at p.15 c.f. The facts of the case as gathered from the revision petition are as follows:

15 c.f.
p.13 c.f.

2. The R.T.A., Bellary, at its meeting held on 19-3-52, granted a stage carriage permit to Sri B.Chandrasekar, the revision petitioner, on the route Holagonda to Bellary via Sanavasapuram. On appeal, the C.R.T.Bd. at its meeting held on 18-6-52, set aside the order of the R.T.A. on a technical ground, as the order did not comply with the provisions of Sec.57(7) of the Motor Vehicles Act and remitted the case to the R.T.A. for fresh disposal according to law. In his petition at pp.1-3 c.f. received on 3-7-52 the petitioner requested that, pending disposal of the case by the R.T.A., a temp. permit might be granted for his bus. He had also approached the C.R.T.Bd. for the grant of a temp. permit. ~~The Govt. have~~ The Chairman, C.R.T.Bd., did not approve the request for t.p.; ~~The Govt.~~ It is against this order, that the petr. has subd. his rev. petn. at pp 17-21 c.f. The Govt. have directed that no temp. permit under Sec.62(d) of the M.V.Act should be granted except where an operator has been running a vehicle on a pucca permit and has failed to submit his renewal application

X, p.1 c.f.

cp M, p.2 c.f.

A, p.3 c.f.

para 2, p.17 c.f.

in time. This is not one such case.

2. In the circumstances the remarks of the C.R.T.Bd. on the petitioner's request may be obtained in the first instance, particularly regarding the need for a temp. permit on the route. Subject to orders, the draft submitted is for approval.

14.7.52

The petitioner may be asked to approach the R.T.A in the first instance and if he is aggrieved by the orders passed by the R.T.A (or the R.T.O if the powers have been delegated to the latter), ~~they~~ he may prefer an appeal to the C.R.T.B and/or come up to Govt in revision under Section 64-A. A

14.7.1952

~~D.S.~~ I agree

The petition may be rejected & the party instructed as at A above

15/7/52

hope A' is the last word on T.P's

M (T.H.)

Suppose for instance

R.T.A. refuses T.P.

CRTB in appeal refuses T.P.

When matter comes in revision can Govt order issue of T.P.

Please clarify.

Krishna Rao

16.7.52

The answer is in the affirmative of course, the

SECRETARY TO GOVERNMENT
17 JUL 1957

Govt. will interfere only in deserving cases. The policy to be adopted in granting T.Ps under the several clauses of Section 62 is laid down in G.O. 2672 Home of 5.7.1951. Exceptions can be made w.r.t. the merits of the cases under section 64 A.

17/7/52

M (I.L.) I should like to see G.O. 2672 Home dated 5-7-51

V. Krishnarao
17.7.52

I have seen the above G.O. Paragraph 2 is clear that T.P. cannot be given. Under what rules can Govt " Interfere only in deserving cases". Is not above G.O. based on sect 64 A.

D

'B'

18/7/52

A

P.S. I should like to have all rules or regulations & G.O's regarding issue of T.P's. This will enable me to know my position clearly. I do not want anybody to say at any stage that "I have no powers to give T.P.

V. Krishnarao
18/7/52

Extracts taken file cno 131972 Tr II/52

SECRETARY TO GOVERNMENT
18 JUL 1952
HOME DEPARTMENT

C/ ON Take extract of A & put up separately & urgently

18/7/52

DEPUTY SECRETARY TO GOVERNMENT
18 JUL 1952
HOME DEPARTMENT

'X' on p.2 ante: A draft order is submitted for approval.

'D' on p.3 ante: An applicant for a temporary permit should approach the R.T.A. in the first instance and if he is aggrieved by the orders passed by the R.T.A. (or the R.T.O. if the powers have been delegated to the latter) he may prefer an appeal to the C.R.T.Board and/or come upto Govt, in revision under Sec.64-A. It is therefore submitted that the Govt. can interfere in deserving cases only under Sec.64-A of the M.V.Act, 1939.

These points will be examined in the comprehensive note

'B' on p.3 ante: It is submitted that G.O.No. 2672, Home, dated 5-7-1951 was issued by Govt. in exercise of the power vested in them by Sec.43-A of the M.V.Act, 1939, to issue orders and directions of a general character to transport authorities. Please see in this connection G.O.No.4731, Home, d/8-12-51, the C.R.T.Bd. has been directed to obtain orders of Govt. in individual cases for grant of T.P. under section 62(d).

'A' on p.3 ante: Relevent extracts have been taken for separate action. The connected file will be circulated to M.(I&L) separately

WB.
23/7/52

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24.7.1952

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D.S

A full note will be circulated to M(I&L.) separately covering all these points.
In the present case the draft below may issue

25/7/52

U Krishna Rao
28/7/52

M(I&L.)

Issued as G.O. Rt. No. 2207 Home dated 30-7-52

SECRETARY TO GOVERNMENT
29 JUL 1952
HOME DEPARTMENT

DEPUTY SECRETARY TO GOVERNMENT
29 JUL 1952
HOME DEPARTMENT